

## REPRESENTATIONS AND CERTIFICATIONS

**THE OFFEROR/BIDDER REPRESENTS AND CERTIFIES THAT: (check or complete all applicable sections)**

**1. NAME AND LOCATION OF BUSINESS ORGANIZATION (PLACE OF PERFORMANCE)**

Name of Company \_\_\_\_\_ DUNS # \_\_\_\_\_  
**INSERT LEGAL NAME OF COMPANY**

Address (Include Zip Code) \_\_\_\_\_

E-mail address \_\_\_\_\_ www URL (Website Address) \_\_\_\_\_

Tax Payer Identification No. (TIN) \_\_\_\_\_

**2. TYPE OF BUSINESS ORGANIZATION**

It operates as ☐ an individual, ☐ a partnership, ☐ a non-profit organization, ☐ a corporation, incorporated under the laws of the State of \_\_\_\_\_. If a corporation, does the corporation have three (3) employees or less? ☐ yes ☐ no If yes, complete "Personal Services Questionnaire Form B" (ANL-482B).

**3. LABORATORY TERMS AND CONDITIONS**

By submission of its offer, the offeror represents that, unless otherwise noted in the offeror's proposal, the Laboratory's standard terms and conditions (included in the Laboratory's solicitation) will be included in and govern any subsequent contract.

**4. AFFIRMATIVE ACTION COMPLIANCE (Required if firm has 50 or more employees and current Government Contracts or Subcontracts totaling \$50,000 or more.)**

- (a) It ☐ has developed and has on file, ☐ has not developed and does not have on file, at each establishment, affirmative action programs required by the rules and regulations of the Secretary of Labor (41 CFR 60-1 and 60-2), or
- (b) It ☐ has not previously had contracts subject to the written affirmative action programs requirement of the rules and regulations of the Secretary of Labor.

**5. PREVIOUS CONTRACTS AND COMPLIANCE REPORTS (Not required if proposed procurement is expected to be less than \$10,000)**

- (a) It ☐ has, ☐ has not participated in a previous contract or subcontract subject either to the Equal Opportunity clause of this solicitation, the clause originally contained in Section 310 of Executive Order No. 10925, or the clause contained in Section 201 of Executive Order No. 11114;
- (b) It ☐ has, ☐ has not, filed all required compliance reports; and

- (c) Representations indicating submission of required compliance reports, signed by proposed subcontractors, will be obtained before subcontract awards.

**6. COMPLIANCE WITH VETERANS' EMPLOYMENT REPORTING REQUIREMENTS (DEC 2001)**

By submission of its offer, the offeror represents that, if it is subject to the reporting requirements of 38 U.S.C. 4212(d) (i.e., if it has any contract containing Federal Acquisition Regulation clause 52.222-37, Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans), it has submitted the most recent VETS-100 Report required by that clause.

**7. SMALL BUSINESS PROGRAM REPRESENTATIONS (OCT 2000)**

- (a) (1) The North American Industry Classification System (NAICS) code for this acquisition is \_\_\_\_ [insert NAICS code]. [https://eweb1.sba.gov/naics/dsp\\_naicssearch2.cfm](https://eweb1.sba.gov/naics/dsp_naicssearch2.cfm)
- (2) The small business size standard is \_\_\_\_ [insert size standard].
- (3) The small business size standard for a concern which submits an offer in its own name, other than on a construction or service contract, but which proposes to furnish a product which it did not itself manufacture, is 500 employees.
- (b) Representations. [Refer to definitions in paragraph (c) of this provision]
- (1) The offeror represents as part of its offer that it ☐ is, ☐ is not a **small business concern**.
- (2) (Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.) The offeror represents, for general statistical purposes, that it ☐ is, ☐ is not, a **small disadvantaged business concern** as defined in 13 CFR 124.1002, or ☐ does, ☐ does not have a completed SDB Application pending at the SBA or a private Certifier.
- (3) (Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.) The offeror represents as part of its offer that it ☐ is, ☐ is not, a women-owned small business concern.
- (4) (Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.) The offeror represents as part of its offer that it ☐ is, ☐ is not, a **veteran-owned small business concern**.
- (5) (Complete only if the offeror represented itself as a veteran-owned small business concern in paragraph (b)(4) of this provision.) The offeror represents as part of its offer that it ☐ is, ☐ is not, a **service-disabled veteran-owned small business concern**.
- (6) (Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.) The offeror represents as part of its offer that it ☐ is, ☐ is not, a **HUBZone small business**, or that it ☐ is, ☐ is not, a **HUBZone small business non-manufacturer concern** listed on the date of this representation, on the List of Qualified HUBZone Small Business Concerns Maintained by the Small Business Administration, and no material change in ownership and control, principal place of ownership, or HUBZone employee percentage has occurred since it was certified by the Small Business Administration in accordance with 13 CFR part 126;
- (c) Definitions. As used in this provision—

**“Emerging small business”** means a small business concern whose size is no greater than 50 percent of the numerical size standard for the NAICS code designated.

**"Service-disabled veteran-owned small business concern"-**

- (1) Means a small business concern-
  - (i) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and
  - (ii) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.
- (2) Service-disabled veteran means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service-connected, as defined in 38 U.S.C. 101(16).

**"Small business concern,"** means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR Part 121 and the size standard in paragraph (a) of this provision.

**"Veteran-owned small business concern" means a small business concern-**

- (1) Not less than 51 percent of which is owned by one or more veterans (as defined at 38 U.S.C. 101(2)) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and
- (2) The management and daily business operations of which are controlled by one or more veterans.

**"Women-owned small business concern," means a small business concern –**

- (1) Which is at least 51 percent owned by one or more women or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and whose management and daily business operations are controlled by one or more women.

(d) Notice.

- (1) If this solicitation is for supplies and has been set aside, in whole or in part, for small business concerns, then the clause in this solicitation providing notice of the set-aside contains restrictions on the source of the end items to be furnished.
- (2) Under 15 U.S.C. 645(d), any person who misrepresents a firm's status as a small, HUBZone small, small disadvantaged, or women-owned small business concern in order to obtain a contract to be awarded under the preference programs established pursuant to section 8(a), 8(d), 9, or 15 of the Small Business Act or any other provision of Federal law that specifically references section 8(d) for a definition of program eligibility, shall –
  - (i) Be punished by imposition of fine, imprisonment, or both;
  - (ii) Be subject to administrative remedies, including suspension and debarment; and
  - (iii) Be ineligible for participation in programs conducted under the authority of the Act.

**8. WOMEN-OWNED BUSINESS REPRESENTATION (Other than Small Business Concerns)**

(Complete only if the offeror is a woman-owned business enterprise concern and did not represent itself as a small business concern in paragraph (b)(1) of this provision). The offeror represents as part of its offer that it ☐ is, ☐ is not, a Women-Owned Business Concern.

**"Women-Owned,"** as used in this provision, means a Small Business that is at least fifty-one percent (51%) owned by a woman or women who are U. S. citizens and who also control and operate the business.

**9. MINORITY-OWNED BUSINESS REPRESENTATION (Other Than Small Business Concerns)**

(Certify only if the offeror is a minority-owned business enterprise and did not represent itself as a small business concern in paragraph (b)(1) of this provision.) The offeror represents as part of its offer that it ☐ is, ☐ is not a minority business enterprise.

**"Minority Business Enterprise"** as used in this provision, means a business enterprise that is owned or controlled by one or more socially or economically disadvantaged persons. Such disadvantaged may arise from cultural, racial, chronic economic circumstances or background or other similar cause. Such persons include, but are not limited to African Americans, Native Americans, Hispanic Americans, Asian Pacific Americans, and Subcontinent Asian Americans.

**10. BUY AMERICAN ACT - SUPPLIES**

The offeror certifies that each end product, except those listed below is a domestic end product (as defined in the clause entitled, Buy American Act - Supplies), and that components of unknown origin are considered to have been mined, produced, or manufactured outside the United States (as defined in the clause entitled, Buy American Act - Supplies). **NOTE:** Applicable Foreign End Products will be evaluated in accordance with FAR 25.105.

Foreign End Products	Country of Origin
_____	_____
_____	_____
_____	_____

(List as necessary)

**11. SUSPECT/COUNTERFEIT PARTS CERTIFICATION**

Suspect/counterfeit parts shall not be used in the performance of any work resulting from this offer, whether on or off the Laboratory site, nor shall suspect/counterfeit parts be included in any supplies furnished as a result of this offer.

**BY SUBSCRIBING HERETO, THE OFFEROR/BIDDER AGREES THAT THE FOREGOING REPRESENTATIONS AND CERTIFICATIONS ARE TRUE AND CORRECT.**

Name of Official: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_